

REMARKS

By this Amendment, claims 11, 13 14 and 29 are amended and 17-28 and 39-46 are canceled. Accordingly, claims 1-16 and 29-38 are pending in this application. No new matter is added. Reconsideration of the application is respectfully requested.

Applicants thank Examiner Hogans for courtesies extended to Applicants' representatives during the January 15 personal interview. During the interview, the Examiner agreed that the applied prior art fails to teach or suggest ion implanting a first low voltage well of a second circuit device in a second portion of a substrate using the partially removed first protective layer and a second protective layer.

I. Election of Species Requirement

A. Non-elected claims 17-28 and 39-46 are canceled by this Amendment.

B. The October 21, 2003 Office Action indicated that claim 1-16 correspond to Species I, referring to page 3, paragraph [0016] of the specification, and claims 29-38 correspond to Species II, referring to page 3, paragraph [0015] of the specification.

During the personal interview, the Examiner stated that claims 1-16 and 29-38 are considered to be two different species because the specification describes them as "various exemplary embodiments." Applicants respectfully submit that, as discussed during the interview, neither paragraph [0015] nor [0016] distinguishes species of the invention. Furthermore, the "Detailed Description of Invention" section of the specification describes a single embodiment. Therefore, it is unclear what "species" are allegedly being identified by the Patent Office. Accordingly, Applicants respectfully submit that the Action has not provided a sufficient basis for the election of species requirement. Absent a clear and proper basis, withdrawal of the election of species requirement is respectfully requested.

II. Formal Matters

A. The Office Action objects to the specification. The specification is amended to obviate this objection. Accordingly, withdrawal of this objection is respectfully requested.

B. The Office Action rejects claims 13-16 under 35 U.S.C. §112, first paragraph. Claim 13 is amended to obviate this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

C. The Office Action rejects claims 14-16 under 35 U.S.C. §112, first paragraph. Claim 14 is amended to obviate this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

D. The Office Action rejects claims 8-16 under 35 U.S.C. §112, second paragraph. The Office Action asserts that claim 8 refers to "the second circuit device" which lacks proper antecedent basis. Applicants respectfully assert that claim 1 recites "a second circuit device." Accordingly, "the second circuit device" has proper antecedent basis. Claim 11 is amended to obviate this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

It is respectfully submitted that the foregoing amendments to the claims do not narrow the claims.

III. The Claims Define Patentable Subject Matter

A. The Office Action rejects claims 1, 4, 5 and 8-16 under 35 U.S.C. §103(a) over U.S. Patent No. 5,242,841 to Smayling et al. (Smayling) in view of Semiconductor Manufacturing Technology (2001) to Quirk et al. (Quirk). This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, that a first voltage well of a second circuit device is ion implanted in a second portion of a substrate using the partially removed first protective layer and the second protective layer.

As discussed and agreed during the interview, Smayling and Quirk in combination do not teach or suggest this feature. Accordingly, It is respectfully submitted that claim 1 is patentable and withdrawal of this rejection is respectfully requested.

B. The Office Action rejects claim 2 under 35 U.S.C. §103(a) over Smayling and Quirk in view of U.S. Patent No. 5,519,247 to Arbus et al. This rejection is respectfully traversed.

Claim 2 is patentable at least in view of the patentability of claim 1 from which it depends, as well as or the additional features it recites. Accordingly, withdrawal of this rejection is respectfully requested.

C. The Office Action rejects claim 3 under 35 U.S.C. §103(a) over Smayling and Quirk in view of U.S. Patent No. 6,444,487 to Boggs et al. This rejection is respectfully traversed.

Claim 3 is patentable at least in view of the patentability of claim 1 from which it depends, as well as for the additional features it recites. Accordingly, withdrawal of this rejection is respectfully requested.

D. The Office Action rejects claims 6 and 7 under 35 U.S.C. §103(a) over Smayling and Quirk in view of U.S. Patent No. 6,130,450 to Takagi et al. This rejection is respectfully traversed.

Claims 6 and 7 are patentable at least in view of the patentability of claim 1 from which they depend, as well as for the additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

E. Currently withdrawn claims 29-38, rejoinder of which is requested hereby, are patentably distinct from the art of record for at least the following reasons.

Claim 29 recites that ion implanting is accomplished using at least two successive masks. This feature is shown in Fig. 5, for example. As discussed above in conjunction with claim 1, none of the art of record teaches or suggests this feature.

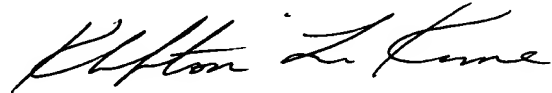
Claims 30-38 are patentable at least in view of patentability of claim 29, as well as for the features the recite.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16 and 29-38 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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